

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

LATTIME CONSTRUCTION AND
HOME BUILDING , INC.,)
 U.S. DIS)
 MIDDLE)
))
PLAINTIFF,))
))
VS.))
))
CENTURYTEL SERVICE GROUP,))
ET AL,))
))
DEFENDANT.))

CASE NO. 1:05-cv-1062-F

MOTION TO RECONSIDER

Comes now the Plaintiff in the above-styled cause and moves the Court to reconsider its Order of January 19, 2006, and allow the Plaintiff to further plead Count Two of its complaint alleging fraud in this case, and assigns as grounds for said motion the following:

1. For that the Plaintiff's attorney believed that he had alleged Count Two of said complaint with sufficient particularity alleging the fraud in this case. However, if the Court requires additional allegations, this attorney represents that more specificity could be provided to satisfy the Court's requirement of a case for fraud in this matter.

2. For that it is believed that the Plaintiff has a case of fraud against the Defendants herein, and should be allowed to properly plead it, although the pleadings as prepared and filed by Plaintiff's attorney have not been sufficient according to the Court's order in this case.

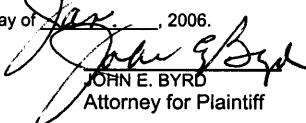
WHEREFORE Plaintiff prays that the Court will enter an order reconsidering its order of January 19, 2006, and allow Plaintiff to further amend Count Two of said complaint of this matter.

Dated this the 24 day of January, 2006.

CERTIFICATE OF SERVICE

I do hereby certify that I have served a copy of the foregoing upon the Craig A. Alexander, Attorney at Law, 2700 Hwy. 280 E, Suite 480W, Mountain Brook Center, Birmingham, AL 35223-2446, by placing a copy of same properly addressed and postage prepaid in the U.S. mail.

Dated this the 24 day of Jan., 2006.



John E. BYRD
Attorney for Plaintiff

JOHN E. BYRD (BYR 005)

Attorney for Plaintiff
P.O. Box 536
Dothan, Alabama 36302
(334) 794-0759
(334) 792-0163 fax
email - bblbjlaw@centurytel.net